

**MINUTES OF THE REGULAR MEETING OF THE  
SAN MARCOS PLANNING AND ZONING COMMISSION  
COUNCIL CHAMBERS, CITY HALL  
October 8, 2013**

**1. Present**

**Commissioners:**

Bill Taylor, Chair  
Chris Wood  
Corey Carothers  
Kenneth Ehlers  
Angie Ramirez  
Curtis Seebeck  
Randy Bryan

**City Staff:**

Matthew Lewis, Development Services Director  
Kristy Stark, Development Services Assistant Director  
Roxanne Nemcik, Assistant City Attorney  
Francis Serna, Recording Secretary  
John Foreman, Planning Manager  
Emily Koller, Planner  
Amanda Hernandez, Sr. Planner

**Call to Order and a Quorum is Present.**

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:12 p.m. on Tuesday October 8, 2013, in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

**3. Chairperson's Opening Remarks.**

Chair Taylor welcomed the audience and viewers.

**4. 30 Minute Citizen Comment Period**

There were no citizen comments.

**Consent Agenda**

***NOTE:*** The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session.

**5. Consider the approval of the minutes of the Regular Meeting on August 27, 2013.**

**MOTION:** Upon a motion made by Commissioner Wood and a second by Commissioner Carothers, the Commission voted on consent to approve the minutes of the Regular Meeting on August 27, 2013.

**Public Hearings:**

**6. CUP-13-32 (Jo on the Go)** Hold a public hearing and consider a request by Elizabeth Rios, on behalf of Jo on the Go, for a Conditional Use Permit to allow the use of Restaurant/Prepared Food Sales in a Neighborhood Commercial (NC) zoning district at 310 Mary Street.

Emily Koller, Staff Planner gave an overview of the project.

Chair Taylor opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Morris and a second by Commissioner Ehlers, the Commission voted all in favor to approve CUP-13-32.

**7. CUP-13-35 (Bikinis)** Hold a public hearing and consider a request by Bikinis Real Estate LLC for renewal of an existing Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 1437 N IH 35.

Emily Koller, Staff Planner gave an overview of the project.

Chair Taylor opened the public hearing. There were no citizen comments and the public hearing was closed.

**MOTION:** Upon a motion made by Commissioner Ehlers and a second by Commissioner Carothers, the Commission voted seven (7) for and two (2) against to approve CUP-13-35 with the conditions that the permit shall be valid for six (6) months, provided standards are met, subject to the point system; the permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried.

**8. PSA-13-01 (Yarrington Commons)** Hold a public hearing and consider a request by Ocie Vest for a Preferred Scenario Map Amendment to change an Area of Stability to a Medium Intensity Zone for an approximately 155 acre tract out of the William Ward Survey No. 3 and a portion of Champions Business Park Subdivision. The property is located south of Yarrington Road between IH 35 and Post Road, extending south to the Blanco River.

Amanda Hernandez, Senior Planner gave an overview of the project.

Chair Taylor opened the public hearing.

Ocie Vest, Partner with Stratford Land, 5949 Cherry Lane, Dallas, Texas thanked staff for their work on the project. Mr. Vest stated he was available to answer questions.

Bridgett Phillips said that she felt the citizens will be the ones that have to live with the decisions and developments that are created. She said that the community set the standards when the community and stakeholders came together and created the Comprehensive Master Plan. She said that she sees problems with changing the preferred scenario map without a defined Land Development Code. Ms. Phillips stated although the project will go through a PDD, she felt that they will not be able to deny unsuitable development. She felt that preferred scenario map changes should not be approved until the Land Development Code is updated. Ms. Phillips spoke in opposition to the request. She pointed out that the development will be subject to runoff and should be handled appropriately.

**MOTION:** Upon a motion made by Commissioner Morris and a second by Commissioner Wood, the Commission voted seven (7) for and two (2) against to approve PSA-13-01 to change the site from an Area of Stability to a Medium Intensity Zone on the Preferred Scenario Map while preserving the Open Space designation for the floodway and water quality zone.

**Non Consent Agenda:**

**9. WITHDRAWN: PSA-13-02 (River Park)** Hold a public hearing and consider a request by Marc Rankin for a Preferred Scenario Amendment to change an Area of Stability / Open Space to a High Intensity Zone for an approximately 7 acre tract out of Farm Lots 25 and 26. The property is located along the east side of C M Allen Parkway and is divided by Comal Street.

Staff informed the Commission that PSA-13-02 (River Park) applicant has been withdrawn.

**10.** Staff presentation, discussion and possible direction to staff regarding the process and parameters for conducting the Neighborhood Character Studies under the City's Comprehensive Plan and rewriting the Land Development Code.

Amanda Hernandez, Senior Planner gave a presentation on the Neighborhood Character Studies.

The Commission provided direction for staff to move forward with the Studies and Code rewrite and provided some direction on the sequencing of the Studies.

**11. Development Services Report:**

- a. Update from staff on the Implementation of the Comprehensive Plan.
- b. Update on Erosion Control Study (Sessom Creek Erosion Remediation Evaluation)

**12.** Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*

Bridget Phillips inquired about item 8 and asked what is the rush in changes the property from Low Intensity to Medium Intensity.

There were no additional questions from the press and public.

**13. Adjourn.**

Chair Taylor adjourned the Planning and Zoning Commission meeting at p.m. on Tuesday, October 8, 2013.

  
Bill Taylor, Chair

  
Corey Carothers, Commissioner

  
Chris Wood, Commissioner

  
Randy Bryan, Commissioner

  
Curtis Seebeck, Commissioner

  
Kenneth Ehlers, Commissioner

  
Angie Ramirez, Commissioner

ATTEST:

  
Francis Serna, Recording Secretary

